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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,033	10/31/2003	Daryl Sunny Mileaf	2662-161	1106

6449 7590 10/27/2004

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EXAMINER

CRAWFORD, GENE O

ART UNIT PAPER NUMBER

3651

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/697,033	MILEAF ET AL.	
	Examiner	Art Unit	
	Gene O. Crawford	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-10, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 11-14 and 17-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 8-10, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Pippin et al.

The mail sorting system and method thereof disclosed by Pippin et al. includes all the claimed features and in particular includes: **(claim 1)** using a mail sorting machine to provide a transportable container 50 including a plurality of compartments 300 with each compartment of the container 50 being associated with one of a plurality of temporary storage compartments 46 in storage case 350; receiving a plurality of mail pieces addressed to a delivery point on a mail carrier's route; associating each one of the plurality of temporary storage compartments with a delivery point on the mail carrier's route such that no two temporary storage compartments of the plurality are associated with the same delivery point; for each mail piece in the plurality of mail pieces determining the delivery point to which the mail piece is addressed and storing the mail piece in the temporary storage compartment 46 associated with the determined delivery point; for each temporary storage compartment 46 transferring the mail pieces

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stored in the temporary storage compartment to the compartment of the transportable container which the temporary storage compartment is associated in that the transferring occurs during when the transportable container is removed from the temporary storage containers and placed in carrier 50; **(claim 2)** providing the transportable container to the mail carrier (column 6, line 40); **(claim 3)** attaching a should strap to the container (column 3, lines 26-29); **(claim 4)** the transportable container being expandable (column 5, lines 55-60); **(claim 5)** the expandable container being an accordion file 300; **(claim 8)** using a mail sorting machine creating N groups of mail (column 6, lines 5-8); providing a transportable container 50 having N or more compartments; automatically placing each of the N groups into a compartment of the transportable container such that no two groups are placed into the same compartment; providing the transportable container to a mail carrier; **(claim 9)** the transportable container being expandable (column 5, lines 55-60); **(claim 10)** the expandable container being an accordion file 300; and **(claims 15, 16)** a mail sorter that sorts mail (column 6, lines 5-8); a plurality of temporary storage compartments each the plurality of temporary storage compartments 46 being able to receive and store mail that has been sorted by the mail sorter; a transportable expandable container 30, 50 wherein each expandable compartment is associated with one of the temporary storage compartments such that no two expandable compartments is associated with the same temporary storage compartment 46.

***Allowable Subject Matter***

3. Claims 6, 7, 11-14 and 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: a mail sorting system and method thereof including the unique features of 'the transportable container positioned underneath the plurality of temporary storage compartments prior to transferring the mail from the temporary storage compartments to the transportable container' and 'storing the groups of mail in a temporary storage compartment prior to automatically placing the groups into a compartment of the transportable container' in combination with the rest of the claim language is not taught or fairly suggested by the prior art.

***Conclusion***

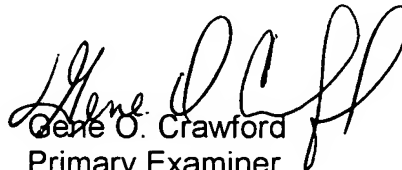
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are cited to show the art with respect to sorting methods including expandable containers: Hendrickson et al., Reader, Csiszar and Langenbeck.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gene O. Crawford whose telephone number is 703/305-9733. The examiner can normally be reached on Monday thru Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on 703/308-1113. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gene O. Crawford  
Primary Examiner  
Art Unit 3651

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